

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3, 5-8, 10, 12-15, 17, 19-22, 24, 25, and 27 are pending in the present application, Claims 1, 3, 8, 10, 15, 17, 21, 22, and 24 having been amended, and Claims 2, 4, 9, 11, 16, 18, 23, and 26 having been canceled without prejudice or disclaimer. Support for the present amendment is believed to be self-evident from the originally filed specification.¹

Applicant respectfully submits that no new matter is added.

In the outstanding Office Action, Claims 15-20 and 24-27 were rejected under 35 U.S.C. §101; Claims 1-23 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention; Claims 1-20, 23, 24, 26 and 27 were rejected under 35 U.S.C. §103(a) as obvious over Kumar et al. (U.S. Publication No. 2001/0023414, hereinafter Kumar) in view of King et al. (U.S. Patent No. 5,704,045, hereinafter King); Claim 21 was rejected under 35 U.S.C. §103(a) as unpatentable over Kumar in view of King, and further in view of Applicant's admitted prior art; Claim 22 was rejected under 35 U.S.C. §103(a) as unpatentable over Kumar in view of King, and further in view of Goino (U.S. Patent Publication No. 2001/0056396); and Claim 25 was rejected under 35 U.S.C. §103 as unpatentable over Kumar in view of King, and further in view of Catex.

With respect to the rejection of Claims 15 and 24 under 35 U.S.C. §101, these claims are amended to more clearly indicate how they are tied to a particular machine. Particularly, these claims are amended to indicate how a processor and the server are used to implement the steps recited in the claims. Thus, Claims 15 and 24 satisfy the machine or transformation test as set forth in *In re Bilski*, and this ground of rejection is overcome.

¹ See, for example, Applicant's Figs. 2, 4, and 7, and paragraphs [0022], [0027], [0046] of the originally filed specification.

With respect to the rejections under 35 U.S.C. §112, second paragraph, the claims are amended to more clearly describe and distinctly claim the subject matter regarded as the invention. With respect to “internal records,” Claim 1 is amended to indicate that the internal records are those of the reinsurer. With respect to the “to pair,” the claims are amended to indicate that a processor is used with that functionality. With respect to Claim 3 and the use of “relates,” Applicants notes that breadth is not to be equated with indefiniteness.²

With respect to Claim 8, the claimed “is able to pair,” this phrase is removed from the claim. With respect to Claim 24, this claim is amended to clarify that a processor is used to pair a payment. With respect to Claim 26, this claim is canceled and its issues are moot.

Thus, the pending claims are believed to comply with the requirements of 35 U.S.C. §112, second paragraph.

With respect to the rejection of Claim 1 as being unpatentable over the combination of Kumar and King, Applicant respectfully submits that the present amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites “wherein, a processor at the server uses the list to pair a payment due from the insurer to the reinsurer for a certain insurance policy with a payment due from the reinsurer to the insurer for the certain insurance policy.” Kumar and King, when taken in proper combination, do not disclose or suggest this feature of Claim 1.

Kumar pertains to an online bill payment system (see Figure 18). As part of the bill payment system, a payment may be matched to an outstanding bill. However, there is no pairing a payment due from the insurer to the reinsurer for a certain insurance policy with a payment due from the reinsurer to the insurer for the certain insurance policy.

Column 11, lines 36-48 of King describes a situation where in the event of a loss, payments are made by an insurer entity in accordance with terms of the policy. However, there

² See MPEP 2173.04.

is no pairing a payment due from the insurer to the reinsurer for a certain insurance policy with a payment due for the reinsurer to the insurer for the insurance policy as described in Claim 1.

Since both Kumar and King fail to disclose the above-noted feature from Claim 1, a person of ordinary skill in the art cannot properly combine Kumar and King to arrive at the invention defined by Claim 1.

In view of the above-noted distinctions, Applicant respectfully submits that amended Claim 1 patentably distinguishes over Kumar and King, taken alone or in proper combination.

Independent claims 8, 15, and 24 recite features analogous to the ones recited in Claim 1, and patentably distinguish over King and Kumar for at least the reasons stated above.

Addressing each of the further rejections, each of the further rejections is also traversed by the present response as no teachings in any of the further cited references to Goino and Catex can overcome the above-noted deficiencies of King and Kumar. Accordingly, it is respectfully requested that those rejections be withdrawn for similar reasons as discussed above.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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